

PROOF

STATE OF IOWA

House Journal

TUESDAY, MAY 1, 2018

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

One Hundred-fourteenth Calendar Day - Seventy-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 1, 2018

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Thede of Scott.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Madison DeWitt, Speaker's Page from Spencer.

The Journal of Monday, April 30, 2018, was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 30, 2018, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2311](#), a bill for an act modifying various provisions relating to public utilities, providing for a study of electric vehicle infrastructure support, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILL

[House File 2498](#), by Isenhardt, a bill for an act creating an agricultural land, soils, water quality, and farm tenure initiative committee to conduct a study and make recommendations to improve the manner in which farm tenants may profitably grow agricultural products using leased agricultural land while providing for the sustainability and quality of this state's natural resources.

Read first time and referred to committee on **Agriculture**.

SENATE MESSAGE CONSIDERED

[Senate File 2407](#), by committee on Ways and Means, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

On motion by Nunn of Polk, the House was recessed at 8:35 a.m., until 12:00 p.m.

AFTERNOON SESSION

The House reconvened at 12:11 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 12:24 p.m., until the fall of the gavel.

The House resumed session at 1:47 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILL

[House File 2499](#), by committee on Appropriations, a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Read first time and placed on the **Appropriations calendar**.

CONSIDERATION OF BILL
Unfinished Business Calendar

[Senate File 359](#), a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Lundgren of Dubuque offered amendment [H-8269](#) filed by the committee on Human Resources.

Wessel-Kroeschell of Story offered amendment [H-8296](#), to the committee amendment [H-8269](#), filed by her.

Lundgren of Dubuque rose on a point of order that amendment [H-8296](#) was not germane, to the committee amendment [H-8269](#).

The Speaker ruled the point well taken and amendment [H-8296](#) not germane, to the committee amendment [H-8269](#).

Wessel-Kroeschell of Story asked for unanimous consent to suspend the rules to consider amendment [H-8296](#), to the committee amendment [H-8269](#).

Objection was raised.

Wessel-Kroeschell of Story moved to suspend the rules to consider amendment [H-8296](#), to the committee amendment [H-8269](#).

Roll call was requested by Wessel-Kroeschell of Story and Meyer of Polk.

On the question "Shall the rules be suspended to consider amendment [H-8296](#), to the committee amendment [H-8269](#)?" ([S.F. 359](#))

The ayes were, 43:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, P.	Nielsen
Oldson	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Smith, R.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe	Zumbach	

The nays were, 54:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt

Holz	Huseman	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Vander Linden
Watts	Wheeler	Wills	Windschitl
Worthan	Speaker Upmeyer		

Absent or not voting, 3:

Bacon	Baudler	Jacobsen
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The motion to suspend the rules lost.

Lundgren of Dubuque offered amendment [H-8441](#), to the committee amendment [H-8269](#), filed by her.

Wessel-Kroeschell of Story rose on a point of order that amendment [H-8441](#) was not germane, to the committee amendment [H-8269](#).

The Speaker ruled the point well taken and amendment [H-8441](#) not germane, to the committee amendment [H-8269](#).

Lundgren of Dubuque asked for unanimous consent to suspend the rules to consider amendment [H-8441](#), to the committee amendment [H-8269](#).

Objection was raised.

Lundgren of Dubuque moved to suspend the rules to consider amendment [H-8441](#), to the committee amendment [H-8269](#).

Roll call was requested by Lundgren of Dubuque and Meyer of Polk.

On the question "Shall the rules be suspended to consider amendment [H-8441](#), to the committee amendment [H-8269](#)?" ([S.F. 359](#))

The ayes were, 53:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow

Hager	Hanusa	Heartsill	Heaton
Highfill	Hinson	Holt	Holz
Huseman	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Speaker Upmeyer			

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hein	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	Zumbach

Absent or not voting, 3:

Bacon	Baudler	Jacobsen
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The motion to suspend the rules prevailed.

Mascher of Johnson rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Lundgren of Dubuque moved the adoption of amendment [H-8441](#), to the committee amendment [H-8269](#).

Roll call was requested by Wessel-Kroeschell of Story and Meyer of Polk.

On the question “Shall amendment [H-8441](#), to the committee amendment [H-8269](#), be adopted?” ([S.F. 359](#))

The ayes were, 53:

Baltimore	Baxter	Bergan	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Highfill	Hinson	Holt	Holz
Huseman	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Speaker Upmeyer			

The nays were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hein	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, P.
Nielsen	Oldson	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	Zumbach

Absent or not voting, 3:

Bacon	Baudler	Jacobsen
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Amendment [H-8441](#), to the committee amendment [H-8269](#), was adopted, placing out of order amendment [H-8295](#) filed by Wessel-Kroeschell of Story on March 20, 2018; amendment [H-8300](#) to amendment [H-8295](#) filed by Wessel-Kroeschell of Story on March 20, 2018; amendment [H-8313](#) filed by Rizer of Linn on March 26, 2018; amendment [H-8362](#), to amendment [H-8313](#), filed by Rizer of Linn on April 4, 2018; amendment [H-8436](#), to the committee amendment [H-8269](#), filed by Lundgren of Dubuque on April 30, 2018.

The House stood at ease at 2:10 p.m., until the fall of the gavel.

The House resumed session at 3:03 p.m., Windschitl of Harrison in the chair.

Amendment [H-8446](#), to the committee amendment [H-8269](#), filed by Hinson of Linn from the floor, was ruled out of order.

Mommsen of Clinton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

The House stood at ease at 4:20 p.m., until the fall of the gavel.

The House resumed session at 5:01 p.m., Windschitl of Harrison in the chair.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Meyer of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Kaufmann of Cedar rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Bennett of Linn rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Speaker Upmeyer in the chair at 7:29 p.m.

M. Smith of Marshall rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Lundgren of Dubuque rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Holt of Crawford rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Windschitl of Harrison in the chair at 8:08 p.m.

Watts of Dallas rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Lundgren of Dubuque moved the adoption of the committee amendment [H-8269](#), as amended.

The committee amendment [H-8269](#), as amended, was adopted.

The House stood at ease at 9:11 p.m., until the fall of the gavel.

The House resumed session at 9:42 p.m., Windschitl of Harrison in the chair.

Lundgren of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 359](#))

The ayes were, 51:

Baxter	Bergan	Best	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Highfill	Hinson
Holt	Holz	Huseman	Jacobsen
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Mohr
Mommsen	Moore	Nunn	Paustian

Pettengill	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Worthan	Windschitl, Presiding	

The nays were, 46:

Abdul-Samad	Anderson	Baltimore	Bearinger
Bennett	Bloomingtondale	Breckenridge	Brown-Powers
Cohoon	Finkenauer	Forbes	Gaskill
Hall	Heddens	Hein	Hunter
Isenhardt	Jacoby	Kacena	Kearns
Kressig	Kurth	Lensing	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe	Zumbach		

Absent or not voting, 3:

Bacon	Baudler	Gaines
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The bill having received a constitutional majority was declared to have passed the House.

Mascher of Johnson objected to the title.

The objection was withdrawn and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that [Senate File 359](#) be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bacon of Story	Baudler of Adair
Gaines of Polk	Jacobsen of Pottawattamie

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 699 Appropriations

Relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2390

Ways and Means: Baltimore, Chair; Bergan and Gaskill.

Senate File 2407

Ways and Means: Holt, Chair; Kaufmann and McConkey.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 696

Ways and Means: Mohr, Chair; Bloomingdale and Jacoby.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly **House Study Bill 699**), relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Fiscal Note: **No**

Recommendation: **Do Pass** May 1, 2018.

RESOLUTIONS FILED

[H.R. 116](#), by Anderson, Staed, Mascher, Kurth, Meyer, Lensing, Winckler, Cohoon, Bearinger, T. Taylor, Ourth, and Kearns, a resolution recognizing the importance of access to the Iowa State Capitol in encouraging public involvement in the legislative process.

Laid over under **Rule 25**.

[H.R. 117](#), by Wessel-Kroeschell, a resolution requesting that the legislative council establish a multistakeholder legislative interim study committee to identify compensation enhancement strategies for those who work in the high-demand occupation of direct care.

Laid over under **Rule 25**.

[H.R. 118](#), by Nunn, a resolution designating the week of September 24 through 29, 2018, as the sesquicentennial celebration of the Iowa Supreme Court's decision in *Clark v. Board of Directors*.

Laid over under **Rule 25**.

[H.R. 119](#), by Anderson, a resolution urging Iowa's congressional delegation to take all necessary measures to limit the authority of any President of the United States to order a preemptive launch of nuclear weapons.

Laid over under **Rule 25**.

[H.R. 120](#), by Anderson, Gaskill, Cohoon, Wolfe, Winckler, Lensing, Staed, Kurth, Hunter, Jacoby, Olson, Kressig, Mascher, Forbes, and McConkey, a resolution requesting the legislative council to establish an interim study committee to study renewable energy use in state buildings and facilities.

Laid over under **Rule 25**.

[H.R. 121](#), by Anderson, McConkey, Gaskill, Mascher, T. Taylor, Hunter, Heddens, Bearinger, P. Miller, Steckman, Prichard, Running-Marquardt, Oldson, H. Miller, Wessel-Kroeschell, Jacoby, Nielsen, Hall, Kacena, Thede, Breckenridge, Staed, Kearns, Cohoon, M. Smith, Kressig, Heaton,

Kurth, Olson, Lensing, Isenhart, Brown-Powers, and R. Smith, a resolution recognizing and congratulating Andie Dominick on winning the 2018 Pulitzer Prize in editorial writing.

Laid over under **Rule 25**.

[H.R. 122](#), by M. Smith, Staed, Lensing, Steckman, Kurth, Thede, Isenhart, Mascher, Hunter, Anderson, Bearer, Heddens, Kearns, Cohoon, Oldson, Jacoby, R. Smith, Brown-Powers, McConkey, T. Taylor, Gaskill, Breckenridge, Forbes, H. Miller, Meyer, Gaines, Wolfe, Prichard, Wessel-Kroeschell, Olson, Kressig, Abdul-Samad, Kacena, Nielsen, Hall, and Winckler, a resolution calling on President Donald Trump and the United States Congress to immediately engage in constructive dialogue and to negotiate beneficial trade regulations with other countries in order to discontinue trade practices that have an adverse impact on the people of Iowa and on Iowa's economy.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8445	H.F. 2496	McKean of Jones
H-8446	S.F. 359	Hinson of Linn
H-8447	S.F. 2316	Pettengill of Benton
H-8448	H.F. 2497	Pettengill of Benton
H-8449	H.F. 2497	Cohoon of Des Moines
H-8450	H.F. 2497	Breckenridge of Jasper
		Cohoon of Des Moines
H-8451	S.F. 2298	Best of Carroll
H-8452	H.F. 2496	Dolecheck of Ringgold
H-8453	H.F. 2377	Isenhart of Dubuque

On motion by Hagenow of Polk, the House adjourned at 11:07 p.m., until 8:30 a.m., Wednesday, May 2, 2018.